

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

IN RE: TFT-LCD (FLAT PANEL) ANTITRUST
LITIGATION

No. M 07-1827 SI
MDL No. 1827

This Order Relates to:

**ORDER DENYING PLAINTIFFS'
REQUEST FOR JUDICIAL NOTICE**

Best Buy v. AU Optronics Corp., et al.,
Case No. 10-CV-4572;

Best Buy v. Toshiba Corp., et al.,
Case No. 12-CV-4114;

*Eastman Kodak Company v. Epson Imaging
Devices Corp., et al.*, Case No. 10-CV-5452;

Target Corp, et al., v. AU Optronics Corp., et al.,
Case No. 10-CV-4945.

The Track 1B plaintiffs request that the Court take judicial notice of certain facts to establish “basic and undisputable ownership relationships within several Defendant and co-conspirator families.” Docket No. 8135. Plaintiffs assert that these facts are “not subject to reasonable dispute . . .” and are supported by SEC filings, annual financial reports, press releases, news articles, F.R.Civ.P. 71 disclosures, court records, published opinions, and “judicial admissions made by parties and former parties in this case . . .” Accordingly, Plaintiffs assert, they are the proper subject of a judicial notice.

Defendants oppose the request on grounds that they dispute Plaintiffs’ interpretation of documents they seek to have judicially noticed and that the support for the facts consists of inadmissible

1 hearsay. Additionally, Defendants argue, judicial notice of these facts would be unfair and misleading
2 due to the complex nature of the corporate relationship involved, many of which have changed over
3 time, and because they are relevant to issues beyond standing. Some Defendants, including Toshiba,
4 state that they do not dispute certain aspects of ownership interests and are willing to discuss stipulating
5 with Plaintiffs as to certain ownership relationships.

6 The Court DENIES plaintiffs' request for judicial notice. Some of the facts are disputed, and
7 some of the support on which Plaintiffs rely in asserting these facts may be inadmissible hearsay. The
8 Court encourages the parties to stipulate to "undisputable ownership relationships" to avoid the jury time
9 and expense which may otherwise be unnecessarily wasted.

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11 **IT IS SO ORDERED.**

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13 Dated: July 8, 2013



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SUSAN ILLSTON
United States District Judge